

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA) CRIMINAL NO. 00-10215-REX
)
 v.) VIOLATIONS:
)
 HUGO A. BETANCUR,) - 21 U.S.C. § 846 -
 a/k/a Hugo Alexandro Florez,) Conspiracy to Distribute, and
 a/k/a Orlando Miranda,) Possess with Intent to
 a/k/a Gustavo Londono,) Distribute, Cocaine
 a/k/a Damien DeJesus,) - 21 U.S.C. § 853 -
 a/k/a Gabriel Rodriguez Velez,) Forfeiture Allegation
)
 Defendant.)

INDICTMENT

COUNT ONE: (21 U.S.C. § 846 - Conspiracy to Distribute, and Possess with Intent to Distribute, Cocaine).

The Grand Jury charges that:

Beginning on an unknown date but at least by in or about 1993, and continuing to on or about March 22, 1999, in Lowell, and elsewhere in the District of Massachusetts, and elsewhere,

HUGO A. BETANCUR,
a/k/a Hugo Alexandro Florez,
a/k/a Orlando Miranda,
a/k/a Gustavo Londono,
a/k/a Damien DeJesus,
a/k/a Gabriel Rodriguez Velez,

defendant herein, did knowingly and intentionally combine, conspire, confederate and agree with other persons, known and unknown to the Grand Jury, to distribute, and to possess with intent to distribute, cocaine, a Schedule II controlled

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substance, in violation of Title 21, United States Code, Section 841(a)(1).

All in violation of Title 21, United States Code, Section 846.

Notice of Applicability of 21 U.S.C. § 841(b)(1)(A)(ii)

The conspiracy to distribute, and to possess with intent to distribute, referred to in Count One of this Indictment involved more than five kilograms of a mixture or substance containing a detectable amount of cocaine. Accordingly, 21 U.S.C.

§ 841(b)(1)(A)(ii) applies to this Count.

FORFEITURE ALLEGATION: (21 U.S.C. § 853(a) - Criminal Forfeiture).

The Grand Jury further charges that:

1. As a result of the offense alleged in Count One,

HUGO A. BETANCUR,
a/k/a Hugo Alexandro Florez,
a/k/a Orlando Miranda,
a/k/a Gustavo Londono,
a/k/a Damien DeJesus,
a/k/a Gabriel Rodriguez Velez,

defendant herein, shall forfeit to the United States any and all property constituting, or derived from, any proceeds the defendant obtained, directly or indirectly, as a result of the offense, and any and all property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of, the offense.

2. If any of the forfeitable property described in paragraph 1 above, as a result of any act or omission of any defendant --

- (a) cannot be located upon the exercise of due diligence;
- (b) has been transferred or sold to, or deposited with, a third party;
- (c) has been placed beyond the jurisdiction of the Court;
- (d) has been substantially diminished in value; or
- (e) has been commingled with other property which cannot be subdivided without difficulty;

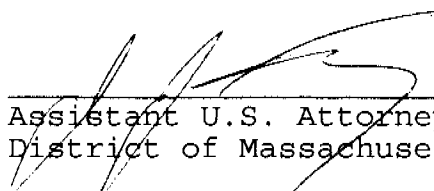
it is the intention of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any

other property of the defendants up to the value of the property described in subparagraphs (a) through (e) of this paragraph.

All in violation of Title 21, United States Code, Section 853.

A TRUE BILL

Robert Pancoth
Foreperson of the Grand Jury


Assistant U.S. Attorney
District of Massachusetts

DISTRICT OF MASSACHUSETTS: June 21, 2000, at 3:27 pm.

Returned into the District Court by the Grand Jurors and filed.

Jeanne D'Amico
Deputy Clerk